REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of November 18, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Claim Rejections – 35 USC § 102

In the Office Action, Claims 1-4, 8, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,252,594 to Xia, *et al.* (hereinafter Xia).

Applicants respectfully disagree with the rejections and thus have not amended the claims to overcome the art rejections.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by Claim 1, is a method for indicating that a content page is scrollable.

The method can include displaying at least a portion of a content page within a display area of a graphical user interface (GUI), wherein the displayed portion of the content page occupies all of said display area; determining whether the displayed content page is scrollable in at least one direction; and responsive to the determination, displaying at least one flyover within the display area to indicate the at least one direction that the displayed content page is scrollable. The at least one displayed flyover is a GUI object independent of the displayed content page and thus not part of the displayed content. The at least one displayed flyover overlaps at least one among text content and image content shown in the displayed portion of the content page. The at least one displayed flyover is configured to occlude the at least one among text content and image content of the overlapped portion of said displayed portion of the content page.

The method also can include detecting an occurrence of a flyover-close event; and responsive to the detection, discontinuing the display of the at least one flyover.

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See, e.g., Specification, paragraphs [0025] to [0029]; see also Fig. 2.

The Claims Define Over The Prior Art

Xia discloses a system and method for aiding a user in scrolling through a multiple-page document. The system and method include providing visual and/or audio cues in a graphical user interface (GUI) environment including a window to alert a user that a portion of the document is not currently displayed in the window. The scrolling may also be made more customizable and convenient. In a first aspect, the GUI includes a scroll bar which appears briefly at the center of a window. This indicates to the user that the document contains more than one page and that the user may scroll to view content beyond what is currently displayed. In this aspect, the scroll bar may be dynamic and dockable. Thus, in this aspect a mechanism is provided to allow the user to dock the scroll bar in a desired location. In a second aspect, the system and method include providing voice cues indicating the total number of pages in the document or that the document contains multiple pages. The voice cue may optionally indicate the current page number when the page is scrolled into the window. In another aspect, the method and system include providing variations on the scroll bar and the scrolling related GUI components. The user may customize the scroll bar and GUI components. Customization may include allowing the user to dock the GUI components used for scrolling. These components may be docked to the window's status bar to free additional space for the window. See the Abstract.

Col. 5, lines 4-40 Xia cited by the Examiner in the Office Action reads as follows:

> *A window for displaying the document is provided, via step 102. In a preferred embodiment, a window in the GUI provided to the display 18 is opened, via step 102. For example, a window in a browser may be opened to display an html page accessed via the Internet 20. The window opened in step 102 includes a scroll bar when the document contains multiple pages. Display of the document is commenced, via step 104. If the window does not fit the entire document, then a portion of the document is started to be displayed in step 104. The user is alerted to the fact that a portion of the document is not currently displayed in the window, via step 106. In a*

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preferred embodiment, step 106 includes providing a voice or visual cue to the user that is in addition to displaying a scroll bar or other component of the GUI used in scrolling. The visual cue preferably draws the user's attention to a component of the GUI used in scrolling, such as the scroll bar or a portion of the scroll bar. For example, in one embodiment, the step 106 may include temporarily providing animated arrows pointing to the scroll bar or moving the scroll bar. Also in a preferred embodiment, step 106 may be turned on or off by the user through a user option. Furthermore, in one embodiment step 104 and 106 may be performed concurrently, for example through separate threads.

Step 106 does more than merely furnish some indication that additional content may follow by unobtrusively providing a scroll bar or other mechanism for scrolling. Instead, step 106 actually draws the user's attention to the fact that a portion of the document is not currently displayed in the window. Because the user's attention has been temporarily drawn to the existence of a part of the document that is not currently displayed, the user is more likely to be aware that the document may contain additional information which is not currently shown on the display 18. Thus, the user is made aware that he or she has the option of scrolling to view additional content. Therefore, the user may be more likely to use the scroll bar to scroll to subsequent pages.

The major differences between Xia's visual cue and the "flyover" of the present invention are that the "flyover" as defined in the present invention explicitly alerts the user of hidden content which can be scrolled and in which direction the screen can be scrolled; whereas the Xia's visual cue is a temporary hint to the user to pay attention to the scroll bar, which only implies the fact that there is scrollable content and does not provide further information regarding the direction in which the screen can be scrolled.

Xia also discloses a method for providing scroll status in the window's "status bar", which is not always present, and therefore not always applicable. Whereas, the present invention describes a means for providing explicit scroll status in a dynamic "flyover" window which overlaps the viewable content, and should therefore always be applicable.

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Therefore, Xia at least does not disclose "responsive to said determination, displaying at least one flyover within said display area to indicate said at least one direction in which said displayed content page is scrollable, . . ., wherein said at least one displayed flyover is configured to occlude the at least one among text content and image content of the overlapped portion of said displayed portion of said content page," as recited in Claim 1 of the instant application.

Accordingly, Xia fails to disclose or suggest each and every element of Claim 1. Applicants therefore respectfully submit that Claim 1 defines over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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